Docket No. CPC-10003/22

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original,

| first and joint inventor (if plura which a patent is sought on the | | I below) of the subject matter whed | nich is claimed and for |
|---|--|---|---|
| TOPICAL ANESTHETIC FORM | IULATION | | |
| the specification of which | | | |
| (check one) | | | |
| ★ is attached hereto. | | | |
| uas filed on | | as United States Application No. | or PCT International |
| | | | |
| and was amended on | | | |
| | | (if applicable) | |
| I hereby state that I have revi including the claims, as amer | | tand the contents of the above in dement referred to above. | dentified specification, |
| 1.56, including for continuat | tion-in-part applica prior application | which is material to patentability ations, material information wh and the national or PCT internal | ich became available |
| application(s) for patent, or papplication which designated below and have also identi- | plant breeder's rig d at least one cou fied below, by ch rights certificate(s | 35 U.S.C. 119(a)-(d) or (f), or ghts certificate(s), or 365(a) of a untry other than the United Stanecking the box, any foreign as, or any PCT international appority is claimed. | any PCT International Ites of America, listed application for patent, |
| Prior Foreign Application(s) | | | Priority Not Claimed |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| (Number) | (Country) | (Day/Month/Year Filed) | J |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

| 60/161,155 | 22 OCT 1999 |
|--------------------------|---------------|
| (Application Serial No.) | (Filing Date) |
| (Application Serial No.) | (Filing Date) |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| PCT/US00/41451 | 23 OCT 2000 | abandoned |
|--------------------------|--|---|
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| 10/111,241 | 10 JULY 2002 | pending |
| (Application Serial No.) | (Application Serial No.) (Filing Date) | |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| agent(s) to prosecute this | As a named inventor, I hereby appoint the following attorney(s) and/or application and transact all business in the Patent and Trademark Office name and registration number) John G. Posa, 37,424 Avery N. Goldstein, 39,204 Douglas L. Wathen, 41,369 Mark D. Schneider, 43,906 Beverly M. Bunting, 36,072 Lionel D. Anderson, 50,571 Angela M. Davison, 54,058 Martin S. Bancroft, 43,316 Julie K. Staple, 50,434 | | | |
|---|---|--|--|--|
| Send Correspondence to: Ellen S. Cogen Gifford, Krass, Groh, Sprinkle, Anderson & Citkowski, P.C. 280 N. Old Woodward Avenue, Suite 400 Birmingham, MI 48009-5394 | | | | |
| Direct Telephone Calls to: (name and telephone number) Ellen Cogen at (248) 647-6000 | | | | |
| Full name of sole or first inventor Scott Wepfer Sole or first inventor's signature Residence Hoover, Alabama Citizenship US Post Office Address 3209 Heathrow Downs Hoover, AL 35401 | Date Date | | | |
| Full name of second inventor, if any Second inventor's signature Residence Citizenship Post Office Address | Date Date | | | |